



Republic of the Philippines  
PROVINCE OF PANGASINAN  
Lingayen

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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY**

Introduced by SP Members Conrado P. Gubatan Dionisio C. Antiniw Leonardo S. Caranto November 4, 1994

**C E R T I F I C A T I O N**

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on November 4, 1994 at Lingayen, Pangasinan, the following Provincial Ordinance was approved:

**PROVINCIAL ORDINANCE NO. 43**

**REGULATING SMOKING INSIDE PUBLIC PLACES AND BUSINESS ESTABLISHMENTS BY DESIGNATING OR ASSIGNING SMOKING AND NON-SMOKING AREAS AND PROVIDING PENALTIES FOR VIOLATION THEREOF**

WHEREAS, cigarette or tobacco smoking has been regarded as the most common and perilous pollutant to the environment and hazardous to the health not only of smokers but also that of non-smokers;

WHEREAS, it has been observed that some minors smoke cigarettes mostly in public places and business establishments;

WHEREAS, in the province of Pangasinan, most public places and business establishments have no assigned or designated smoking and non-smoking areas;

WHEREAS, there is a need to regulate cigarette or tobacco smoking by designating or assigning smoking areas inside public places and business establishments as a remedial measure to protect the minors, the non-smokers, and the environment from the ill-effect of smoking;

WHEREFORE, in view of the foregoing, on joint motion of SP Members Conrado P. Gubatan, Dionisio C. Antiniw and Leonardo S. Caranto, co-authored by SP Member Emiliano S. Micu, duly seconded, be it enacted by the Sangguniang Panlalawigan in session assembled that:

**SECTION 1. DEFINITION OF TERMS** - For purposes of this Ordinance the hereunder enumerated terms shall mean as follows:

- a. Public places include buildings, barangay halls, legislative or session halls, public offices, common carriers, restaurants, canteens, cafeterias, theaters, cinemas, concert halls, hospitals, convention halls, clinics, schools, churches, court rooms, markets, parks and the like;
- b. Business establishments include covered places, buildings or edifices where trade or commercial activities are regularly conducted like music lounges, disco bars, shopping centers, department stores, barbershops, massage parlors, hotels and the like;





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- c. Smoking area is well-ventilated place or area which may be equipped with exhaust fan or device, especially, for utilization of cigarette or tobacco smokers;
- d. Minor - one who is below 18 years of age at the time of the violation of this Ordinance.

SECTION 2. PROHIBITED ACTS.

- a. It shall be unlawful for any public place or business establishment of the Province which have no designated non-smoking area and smoking area for cigarette or tobacco smokers;
- b. No person shall smoke cigarette or tobacco in any public place or business establishment other than the designated or assigned smoking areas;
- c. No minor shall be allowed to smoke even in assigned smoking areas in any public place or business establishment whether they are accompanied by parents, guardians and/or elders;

SECTION 3. PENALTY CLAUSE. - Any violation of this Ordinance is punishable by the following penalties:

a. For Smokers:

First Offense	-	₱100.00
Second Offense	-	500.00
Third Offense	-	1,000.00

b. For Public Places and Business Establishments:

₱5,000.00 and/or cancellation of business permits. If a violator is a corporation or entity, either public or private, the President, General Manager, Administrator or the individual entrusted with the administration or operation thereof shall be held responsible and liable thereof, for not designating or assigning smoking and non-smoking areas;

SECTION 4. REPEALING CLAUSE. - All ordinances, rules and regulations or parts thereof, inconsistent with or in conflict with the provisions of this Ordinance are hereby repealed or modified correctly;

SECTION 5. SEPARABILITY CLAUSE. - If, for any reason or reasons, any part or provision of this Ordinance shall be held to be invalid or unconstitutional, other parts or provision hereof which are not affected thereby shall continue to be in full force and effect;

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SECTION 6. EFFECTIVITY. - This Ordinance shall take effect after a copy hereof shall have been posted at prominent places in the Provincial Capitol and Municipal/City/Barangay Halls for a minimum period of three (3) consecutive weeks and published twice in a newspaper of general circulation in the Province for a period of two (2) consecutive weeks.

DOMINGO D. REFORMADO  
Secretary to the Sanggunian

ATTESTED:

SP MEMBER EDITHA G. DEMETRIA  
Temporary Presiding Officer

APPROVED:

AGUEDO F. AGBAYANI  
Governor